DIGEST OF OTHER RECENT VIRGINIA DECISIONS.

Supreme Court of Appeals.

HOWDASHALL et al. v. KRENNING.

Sept. 15, 1904.

[48 S. E. 491.]

PATENTS—SEALING—SEISIN — EJECTMENT — DECLARATION — DESCRIPTION — PARTIES—VERDICT—JUDGMENT.

1. In an action of ejectment, a description of the land sought to be recovered, reciting, after setting out the metes and bounds that such metes and bounds include 150 acres of land owned by W., and also what is known as the "B. Tract," containing 41 acres, which two tracts are not claimed by plaintiff, was sufficient, since the sheriff, on obtaining information from the plaintiff, would be enabled to execute the writ of possession therefrom.

2. An original land patent is not void by reason of the fact that it was not sealed with the lesser seal of the commonwealth.

3. Where a land grant conferred constructive seisin, it was sufficient to enable the patentee or those claiming under him to maintain ejectment without evidence of seisin in fact.

4. Where, in ejectment, plaintiff neither claimed nor recovered any land within the limits of the two tracts reserved in plaintiff's deed, which lay within the description of the land conveyed, and the verdict only found for plaintiff as to such land as he claimed in his declaration, plaintiff was not bound to prove that the land in controversy was not within the tracts so reserved.

5. A conditional verdict in ejectment, which does not pass on the issue made by defendant's plea of not guilty, is insufficient.

6. Where, in ejectment, one of the defendants was not a party to the second count in the declaration, it was error to render judgment against him for the parcel of land therein described.

AGNER v. COMMONWEALTH.

Sept. 15, 1904.

[48 S. E. 493.]

MUNICIPAL CORPORATIONS—CITY CHARTER—CONSTRUCTION—MAYORS—JUDICIAL JURISDICTION—MISDEMEANORS.

1. Since there is no general law extending the territorial jurisdiction of justices of cities and towns beyond their corporate limits, Acts 1891-92, p. 380, c. 225, sec. 49, as amended by Acts 1893-94, pp. 113, 114, c. 114, providing that justices of the peace in the city of Buena Vista shall have the same jurisdiction as prescribed by the general laws of the state with reference to justices of cities and towns, refers to the objects or subject-matter of their jurisdiction, as fixed by general statute defining what criminal offenses police justices and justices of the peace may try, and not to the territorial extent thereof.